

## UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

v.

Mario FIGUEROA-CAMARILLO

AKA: Mario Figueroa

YOB: 1984

Case No. 23-MJ-1041

Defendant(s)

**FILED**United States District Court  
Albuquerque, New MexicoMitchell R. Elfers  
Clerk of Court**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 6, 2022 in the county of Bernalillo in the  
State and District of New Mexico, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. §§ 922(g)(5)(A) and 924

Possession of a Firearm or Ammunition by an Alien Illegally or Unlawfully  
Present in the United States.

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Matthew D. Salcido Deportation Officer

Printed name and title

Subscribed and sworn to before me telephonically

Date: 06/20/2023City and state: Albuquerque, New Mexico

Judge's signature

Honorable Steven C. Yarbrough Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**Mario FIGUEROA-CAMARILLO,**

AKA; Mario Figueroa

YOB: 1984

Defendant.

**AFFIDAVIT IN SUPPORT OF PROBABLE CAUSE ARREST**

I, Matthew D. Salcido, duly sworn, hereby depose and state the following:

**INTRODUCTION AND AGENT BACKGROUND**

Your affiant is a Deportation Officer (DO) with the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO), and has been employed by ICE as such since March of 2007. Prior to March of 2007, your affiant was a Customs and Border Protection Officer with United States Customs and Border Protection since March 2005. Your affiant is currently assigned to the ICE ERO Criminal Alien Program where it is your affiant's duty to investigate violations of federal law. Your affiant is also a task force officer (TFO) with the United States Marshals Service.

The information contained in this affidavit is not an exhaustive account of everything your affiant knows about this case. Rather, it contains only the facts that your affiant believes are necessary to establish probable cause in support of a criminal complaint charging Mario FIGUEROA-CAMARILLO with violating 18 U.S.C. §§ 922(g)(5)(A) and 924, that being an alien in possession of a firearm and ammunition.

**DETAILS OF INVESTIGATION**

During the month of January 2023, DO Salcido received information from New Mexico State Police (NMSP) Agent J. Santana regarding FIGUEROA-CAMARILLO. Agent Santana advised that on December 6, 2022, FIGUEROA-CAMARILLO was arrested and charged with

Receiving or Transferring a Stolen Motor Vehicle, Receiving Stolen Property (Firearm) and Possession of a Controlled Substance.

Agent Santana advised that as part of his duties while assigned to the NMSP Auto Theft Suppression Unit (ATSU) he located a stolen Ford F-350 pickup truck bearing Minnesota license Plate YCC3131. The Ford F-350 was verified as stolen through NMSP dispatch and NCIC queries.

ATSU began surveilling the Ford F-350 for approximately 1-2 hours throughout the southwest and, later, the southeast areas of Albuquerque, NM. During this time the Ford F-350 made various stops that did not last more than a few minutes.

ATSU devised an arrest plan that included members of the NMSP tactical team due to the size of the vehicle, the potential for damage to other vehicles, and danger to the public if the stolen Ford F-350 did not yield to law enforcement.

NMSP tactical team members and ATSU members spike stripped the Ford F-350 in the southeast area of Albuquerque, NM, and arrested the driver and sole occupant without incident.

The driver was identified as FIGUEROA-CAMARILLO via the Mexican passport found on his person. A search of FIGUEROA-CAMARILLO, incident to arrest, resulted in the location of a loaded black pistol magazine in his left front jacket pocket and approximately \$1786 U.S. Dollars on his person. The magazine contained approximately twelve (12) rounds of 9mm ammunition.

A search of the stolen Ford F-350 prior to towing resulted in the location of a loaded Taurus 9mm semi-automatic pistol, bearing serial number TLM07352, that was located on the rear floorboard within arm's reach of the driver. NMSP later found that the firearm was stolen out of Albuquerque, NM.

Upon further search of the Ford F-350, NMSP located a black bag in the center console that contained a clear plastic baggie with suspected methamphetamine, a digital scale, and a number of small blue circular pills suspected to be fentanyl.

The suspected methamphetamine was later found to weigh approximately 66 gross grams and tested positive for the presumptive properties of methamphetamine. The suspected blue circular pills were found to be marked with M30 on one side, consistent with fentanyl, and weighed approximately 2.8 grams.



It should be noted that the Taurus firearm located in the back of the Ford F-350 was loaded with one 9mm round in the chamber and the magazine inserted into that weapon was an identical match to the loaded 9mm magazine located on FIGUEROA-CAMARILLO's person.

During the investigation, NMSP found that FIGUEROA-CAMARILLO was released from the Bernalillo County Metropolitan Detention Center (MDC) on conditions of release after being arrested and charged with First Degree Murder occurring on May 20, 2019, in Bernalillo County. It was further noted that FIGUEROA-CAMARILLO was wearing an ankle monitor in relation to his conditions of release.

NMSP Officers read FIGUEROA-CAMARILLO his rights per Miranda which FIGUEROA-CAMARILLO invoked his rights and asked for an attorney, no further questions were asked. FIGUEROA-CAMARILLO was later booked into MDC.

NMSP contacted the owner of the stolen Ford F-350 who advised at the time of the theft there were no weapons or ammunition in the vehicle and no weapons had been stolen from the owner.

On January 8, 2023, DO Salcido conducted records checks of all pertinent indices utilizing the booking information provided by FIGUEROA-CAMARILLO as well as the pedigree information obtained from the valid Mexican Passport found on FIGUEROA-CAMARILLO's person. DO Salcido found that FIGUEROA-CAMARILLO is a citizen and national of Mexico by virtue of birth in Cuernavaca, Morelos, Mexico. DO Salcido was unable to locate any records reflecting that FIGUEROA-CAMARILLO made a legal entry into the United States nor did he have permission from the Dept. of Homeland Security to enter, pass through or reside in the United States. FIGUEROA-CAMARILLO is thusly illegally present in the United States.

Further records reflect that FIGUEROA-CAMARILLO was indicted in the Second Judicial District Court located in Bernalillo County, New Mexico, for the offense of First-Degree Murder and two counts of Aggravated Assault (deadly weapon) in case number D-202-CR-2019-02643. DO Salcido verified that FIGUEROA-CAMARILLO was on conditions of release on this case at the time of his arrest on December 6, 2022. This case was dismissed on June 6, 2023.

On June 14, 2023, DO Salcido found the firearm seized during the arrest of FIGUEROA-CAMARILLO on December 6, 2022, to be a Taurus model: G2C, 9mm bearing serial number;

TLM07352. DO Salcido learned that on December 21, 2022, NMSP test fired the firearm which functioned as designed and met the federal definition of a "Firearm".

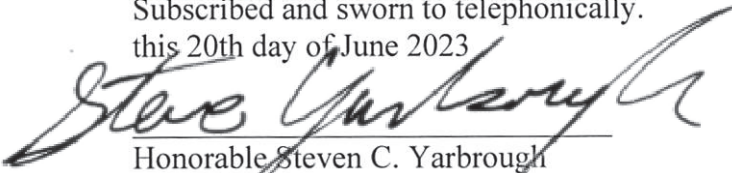
DO Salcido knows through training and experienced that Taurus firearms are manufactured outside the state of New Mexico thus affecting interstate commerce. DO Salcido further knows that ammunition manufactured by Sig, 9mm caliber cartridges, are manufactured outside the state of New Mexico also affecting interstate commerce.

Based on the foregoing, in the District of New Mexico and the County of Bernalillo, your affiant believes that there is probable cause to charge Mario FIGUEROA-CAMARILLO with being an Alien in Possession of a Firearm and Ammunition in violation of 18 U.S.C. §§ 922(g)(5)(A) and 924.

This requested warrant has been reviewed and approved by Assistant United States Attorney Sarah Mease.

  
Matthew D. Salcido  
Deportation Officer

Subscribed and sworn to telephonically.  
this 20th day of June 2023

  
Honorable Steven C. Yarbrough  
United States Magistrate Judge